

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Paul Canini, III,

Case No. 16-cv-3309 (WMW/BRT)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Tom Roy, Minnesota DOC
Commissioner; and Minnesota
Industries “Officials,”

Defendants.

This matter is before the Court on the January 11, 2017 Report and Recommendation (“R&R”) of United States Magistrate Judge Becky R. Thorson. (Dkt. 7.) The R&R recommends dismissing without prejudice Plaintiff Paul Canini, III’s complaint for failure to prosecute. No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee’s note (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

ORDER

Based on the R&R and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The January 11, 2017 R&R, (Dkt. 7), is **ADOPTED**;

2. Plaintiff Paul Canini, III's complaint, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 13, 2017

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge